

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

AT&T MOBILITY LLC,

Plaintiff,

vs.

CELLCO PARTNERSHIP d/b/a
VERIZON WIRELESS

Defendant.

Civil Action File

No. 1:09-cv-03057-TCB

PROPOSED ORDER

Upon review of the pleadings and after considering argument of counsel, the Court hereby finds that AT&T Mobility LLC (“AT&T”) has established: (1) a substantial likelihood of success on the merits; (2) irreparable harm in the absence of a temporary restraining order; (3) that the harm suffered by AT&T in the absence of a restraining order would exceed the harm suffered by Cellco Partnership d/b/a Verizon Wireless (“Verizon”) if the restraining order issued; and (4) that the injunction would serve the public interest.

Accordingly, the Court GRANTS AT&T’s Amended Motion for a Temporary Restraining Order. Until further order of this Court, Verizon and its

officers, agents, servants, employees, attorneys, successors and assigns, and all others in active concert or participation, are restrained and enjoined from:

(1) displaying the “Bench,” “College,” “Island of Misfit Toys,” “Naughty or Nice,” and “Christmas Blues” television advertisements or otherwise claiming that AT&T customers cannot communicate or use their wireless devices when they are outside of a “3G” coverage area.

(2) displaying a map of AT&T’s coverage in which AT&T’s non-“3G” coverage areas are depicted by “white” or “blank” space.

Judge Timothy C. Batten, Sr.
United States District Court
Northern District of Georgia